

**SA 924.** Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 2301, add at the end the following:

“(d) **EXPERTISE REQUIREMENT.**—Any amount awarded to a State, local, Tribal, or territorial public health department pursuant to subsection (b)(2) shall be conditioned on such public health department agreeing to make such award funds available—

“(1) only to entities with which the public health department has an established relationship, and based on demonstrated expertise of such entities in vaccine distribution and administration; and

“(2) with special consideration given to such entities serving medically underserved areas.”.

**SA 925.** Mr. TOOMEY submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9662.

**SA 926.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of title II, insert the following:

**Subtitle M—Food and Drug Administration**

**SEC. 2931. USING EMERGENCY USE AUTHORIZATION DATA AND REAL WORLD EVIDENCE GATHERED DURING AN EMERGENCY TO SUPPORT DRUG, BIOLOGICAL PRODUCT, AND PRE-MARKET DEVICE APPLICATIONS.**

(a) **IN GENERAL.**—Data generated to support an authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-3) with respect to a drug, biological product, or device, and real world evidence relating to such drug, biological product, or device used pursuant to such authorization, may constitute valid scientific evidence, and shall be considered for purposes of—

(1) reviewing submissions pursuant to section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and section 351 of the Public Health Service Act (42 U.S.C. 262);

(2) reviewing submissions pursuant to sections 510(k), 513(f), and 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 21 U.S.C. 360(k), 360c(f), or 360e); and

(3) otherwise meeting the requirements of such Act and such section 351 of the Public Health Service Act.

(b) **APPLICABILITY OF CERTAIN CATEGORIZATIONS FOR PREMARKET DEVICE REVIEW.**—In the case of a device receiving an authorization under section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-3) for which the Secretary has determined, in accordance with subsection (m) of such section, that a laboratory examination or procedure associated with such device is deemed to be in the category of examinations and procedures described in section 353(d)(3) of the Public Health Service Act (42 U.S.C. 262), such determination shall apply with regard to a submission pursuant to section 510(k), 513(f), or 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 21 U.S.C. 360(k),

360c(f), or 360e) for such device, unless the Secretary (taking into account any applicable conditions specified pursuant to subsection (m)(2) of section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-3)) identifies new information not included in the request for authorization that indicates that the criteria under section 353(d)(3) of the Public Health Service Act (42 U.S.C. 262) are not met.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed as altering the review standards or otherwise affecting the requirements under section 505, 510(k), 513(f), or 515 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 21 U.S.C. 355, 360(k), 360c(f), or 360e) or under section 351 of the Public Health Service Act (42 U.S.C. 262) for the clearance or approval of a device, approval of a drug, or licensure of a biological product.

**SA 927.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9301 and insert the following:

**SEC. 9301. ADDITIONAL FUNDING FOR AGING AND DISABILITY SERVICES PROGRAMS.**

Subtitle A of title XX of the Social Security Act (42 U.S.C. 1397-1397h) is amended by adding at the end the following:

**“SEC. 2010. ADDITIONAL FUNDING FOR AGING AND DISABILITY SERVICES PROGRAMS.**

“(a) **APPROPRIATION.**—In addition to amounts otherwise available, there is appropriated for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$276,000,000, to remain available until expended, to carry out the programs described in subtitle B.

“(b) **USE OF FUNDS.**—Subject to subsection (c), of the amounts made available by subsection (a)—

“(1) \$88,000,000 shall be made available to carry out the programs described in subtitle B in fiscal year 2021, of which not less than an amount equal to \$100,000,000 minus the amount previously provided in fiscal year 2021 to carry out section 2042(b) shall be made available to carry out such section; and

“(2) \$188,000,000 shall be made available to carry out the programs described in subtitle B in fiscal year 2022, of which not less than \$100,000,000 shall be for activities described in section 2042(b).

“(c) **LIMITATION ON USE OF FUNDS.**—None of the amounts made available by subsection (a) may be paid, obligated, or otherwise expended to carry out the programs described in subtitle B in a State that does not have COVID-19 medical liability protections for any health care provider who works in a long term care facility or nursing facility (as such terms are defined in section 2011).”.

**SA 928.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 278, line 22, strike the period and insert “; and \$100,000,000 shall be available to purchase medical supplies that are made in the United States.”.

**SA 929.** Mr. MARSHALL submitted an amendment intended to be proposed

to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

**SEC. 5007. PROHIBITION ON PPP LOANS FOR ABORTION PROVIDERS.**

(a) **IN GENERAL.**—Section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) is amended by adding at the end the following:

“(T) **PROHIBITION ON COVERED LOANS FOR ABORTION PROVIDERS.**—

“(i) **IN GENERAL.**—Except as provided in clause (ii), no individual or entity that provides abortions shall be eligible to receive a covered loan.

“(ii) **EXCEPTIONS.**—Clause (i) shall not apply to—

“(I) a hospital, as defined in section 1861(e) of the Social Security Act (42 U.S.C. 1395x(e)); or

“(II) an entity that exclusively provides abortions described in section 507(a) of the Further Consolidated Appropriations Act, 2020 (Public Law 116-94).”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall be effective as if included in the enactment of the CARES Act (Public Law 116-136).

(c) **INSPECTOR GENERAL REPORT.**—Not later than 6 months after the date of enactment of this Act, the Inspector General of the Small Business Administration shall conduct an investigation and submit to Congress a report on the number of loans made to the Planned Parenthood Federation of America pursuant to section 7(a)(36) of the Small Business Act (15 U.S.C. 636(a)(36)) and to other individuals or entities that provide abortions.

**SA 930.** Mr. MARSHALL (for himself, Mr. KENNEDY, Mrs. BLACKBURN, Mr. BRAUN, Mr. ROMNEY, Mr. YOUNG, Mr. GRASSLEY, and Mr. COTTON) submitted an amendment intended to be proposed by him to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

In section 2003, add at the end the following:

(8) an institution shall not be eligible to receive an allocation under this section unless, not later than 60 days after the date of enactment of this Act, that institution certifies to the Secretary of Education that the institution does not have a partnership in effect with a cultural institute directly or indirectly funded by the Government of the People's Republic of China (referred to as a “Confucius Institute”).

**SA 931.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of title VII, add the following:

**Subtitle G—Limitation on Use of Funds**

**SEC. 7701. RELIEF FUND FOR CERTAIN PIPELINE WORKERS.**

None of the funds provided by this title may be expended until a relief fund is established to compensate individuals who have lost employment due to the cancellation of the Keystone XL Pipeline pursuant to section 6 of Executive Order 13990 (86 Fed. Reg. 7041 (January 25, 2021)), which revoked the Presidential Permit of March 29, 2019 (84 Fed. Reg. 13101 (April 3, 2019)) authorizing Trans-Canada Keystone Pipeline, L.P., to construct, connect, operate, and maintain pipeline facilities at the international border of the United States and Canada.

**SA 932.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the end of section 6001, add the following:

(d) Of the funds provided by this section, \$750,000,000 shall be used to assist high-speed broadband projects in rural communities.

**SA 933.** Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . LIMITATION ON USE OF FUNDING.**

None of the amounts made available under this Act, or an amendment made by this Act, may be obligated or expended until after the date on which the Secretary of the Treasury submits to Congress a report certifying that all amounts made available for relief from the COVID-19 pandemic under previously enacted Acts have been obligated by recipient governments.

**SA 934.** Mr. CORNYN submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr.

SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Beginning on page 58, strike line 19 and all that follows through page 59, line 14, and insert the following:

**SEC. 2022. OFFICE OF REFUGEE RESETTLEMENT.**

In addition to amounts otherwise made available, there is appropriated to the Department of Health and Human Services for fiscal year 2021, out of any money in the Treasury not otherwise appropriated, \$135,000,000, to remain available until expended, for the Office of Refugee Resettlement to carry out COVID-19-related activities, including—

(1) the mitigation of coronavirus transmission risk in immigration detention facilities;

(2) the provision of bed space to unaccompanied alien children until their immigration court hearings; and

(3) the separation of unaccompanied alien children from aliens who are suspected of, charged with, or convicted of criminal offenses.

**SA 935.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 58 of the amendment, line 22, strike “\$135,000,000” and insert “\$0”.

**SA 936.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 59 of the amendment, line 19, strike “\$200,000,000” and insert “\$0”.

**SA 937.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 9661 and insert the following:

**SEC. 9661. IMPROVING AFFORDABILITY BY EXPANDING PREMIUM ASSISTANCE FOR CONSUMERS.**

(a) IN GENERAL.—Section 36B(b)(3)(A) of the Internal Revenue Code of 1986 is amended by adding at the end the following new clause:

“(iii) TEMPORARY PERCENTAGES FOR 2021.—In the case of a taxable year beginning in 2021—

“(I) clause (ii) shall not apply for purposes of adjusting premium percentages under this subparagraph, and

“(II) the following table shall be applied in lieu of the table contained in clause (i):

“In the case of household income (expressed as a percent of poverty line) within the following income tier:	The initial premium percentage is—	The final premium percentage is—
Up to 150.0 percent .....	0.0	0.0
150.0 percent up to 200.0 percent .....	0.0	2.0
200.0 percent up to 250.0 percent .....	2.0	4.0
250.0 percent up to 300.0 percent .....	4.0	6.0
300.0 percent up to 400.0 percent .....	6.0	8.5
400.0 percent and higher .....	8.5	8.5”.

(b) CONFORMING AMENDMENT.—Section 36B(c)(1) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(E) TEMPORARY RULE FOR 2021.—In the case of a taxable year beginning in 2021, subparagraph (A) shall be applied without regard to ‘but does not exceed 400 percent’.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2020.

**SA 938.** Mr. JOHNSON submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

On page 59 of the amendment, line 25, strike “\$135,000,000” and insert “0”.

**SA 939.** Mr. SCOTT, of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . POINT OF ORDER RELATING TO NATIONAL DEBT EMERGENCIES.**

(a) DEFINITION.—In this section—

(1) the term “debt limit” means the limitation imposed by section 3101(b) of title 31, United States Code; and

(2) the term “national debt emergency period” means any period during which the Office of Management and Budget—

(A) has determined that the amount of debt subject to the debt limit has exceeded the nominal size of the gross domestic product for 3 consecutive years; and

(B) projects that the amount of debt subject to the debt limit will continue to exceed the projected gross domestic product for the next 5 consecutive years.

(b) POINT OF ORDER.—During a national debt emergency period, it shall not be in order in the Senate to consider any bill, joint resolution, motion, amendment, amendment between the Houses, or conference report—

(1) that would suspend the debt limit for a period of more than 90 days; or

(2) for which the net budgetary effects are greater than zero.

**SA 940.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which

was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . LIMITATION ON DISBURSING FUNDS FOR PROGRAMS AND ENTITIES PREVIOUSLY RECEIVING FUNDS THAT ARE UNSPENT.**

No amounts made available under this Act or an amendment made by this Act may be disbursed for any program or to any entity for which funding remains unobligated that was made available under by the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020 (Public Law 116-123), the Families First Coronavirus Response Act (Public Law 116-127), the Coronavirus Aid, Relief, and Economic Security Act (Public Law 116-136), the Paycheck Protection Program and Health Care Enhancement Act (Public Law 116-139), or the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (division M of the Consolidated Appropriations Act, 2021 (Public Law 116-260)).

**SA 941.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 891 proposed by Mr. SCHUMER to the bill H.R. 1319, to provide for reconciliation pursuant to title II of S. Con. Res. 5; which was ordered to lie on the table; as follows:

Strike section 2013.